

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1 and 10. Applicant respectfully submits no new matter has been added. The amendments to the claims have been made strictly to clarify the language of the claims. Accordingly, claims 1-18 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Response to Arguments

The Applicant respectfully disagrees with the reason given for not placing the claims in condition for allowance. The Examiner noted the definition of a server in the Advisory Action and as the Applicant understands, the Examiner stated that the PEP was not distinguished from the PDP. The Applicant respectfully asserts that the language identifying the PEP serving as a server and the PDP being a client were stated in the last element of claim 1. As noted in the Applicant's current and previous arguments, this is a reversal of the normal functions of the PEP and the PDP. This is the point of the claimed limitation, that the PEP and PDP are reversing functions: the PDP normally having the server function is a client and the PEP normally being a client now has server functionality towards the PDP. The Applicant respectfully asserts that Kohli does not teach the limitations of the Applicant's PEP and PDP functions.

The Applicant amended the independent claims to more clearly spell out the invention and support for the amendments are found throughout the specification: support for policy enforcement by the PEP (page 7, line 23; page 13, line 14, etc.); and support for changing PDPs and providing PEP with server capability (page 7, line 34; page 8, line 1; page 9, line 15, etc.).

Claim Rejections – 35 U.S.C. § 102

Claims 1-3, 6, 8-12, 15 and 17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kohli et al (hereinafter Kohli)(U.S. Patent No. 7,213,068). The Applicant respectfully traverses the rejection of these claims.

The Detailed Action equates the Kohli reference "Policy Enabling Point" (PEP) to the PEP acronym in the present application. However, the Applicant's use of the acronym PEP, i.e., "Policy Enforcement Point", was a well known term of art prior to the filing of the Kohli reference, which if Kohli was referring to a Policy Enforcement Point, Kohli would have made that plain.. Furthermore, the Kohli reference defines Kohli's Policy Enabling Point term in great detail (col. 9, line 54 – col. 10, line 55). The description of the Policy Enabling Point does not jibe with the understood and well known description of a Policy Enforcement Point as also described in the Background (page 2, lines 14-30) of the present invention. Thus the Applicant respectfully submits that the PEP acronym in the present invention is not the same as the PEP acronym in the Kohli reference.

The Final Office Action (page 3, lines 9-11) states "...wherein said at least one PEP serves as a server towards at least one PDP, being a client (device server(PEP), 18 and 20 in figure 1, collects events and distributes the events to policy server (PDP), therefore the device server is functioning as a server and the policy server as a client". The Applicant once again respectfully disagrees with the interpretation of the cited portion of Kohli.

As stated previously and in claim 1, the Policy Enforcement Point (PEP) acts as a server towards a Policy Decision Point (PDP). The Final Office Action appears to equate Kohli's device servers 18 and 20 to the Applicant's PEP. As noted above Kohli's PEP is not the same as the Applicant's PEP. Furthermore, the portion describing the policy enabling point indicates the PEPs of Kohli act as clients, not as servers.

The Applicant respectfully notes that as stated in the Applicant's **Background of the Specification**, (the application filed three years after the Kohli reference), "The described state of the art specifications consider the PEP a client and the PDP a server." (page 3, line 34) Also in the Specification referring to Common Open Policy Services (COPS), "The model is based on the server returning decisions to policy requests, wherein the PEP sends a request to the PDP to become its client and wherein the PDP as server decides whether or not to accept the PEP client." (page 3, lines 13-

16). Therefore, at the time of the Kohli reference, a Policy Enforcement Point was considered a client and not a server.

Since the PEP of Kohli is not the same as the PEP of the Applicant's invention, Kohli lacks all the elements of independent claim 1. Claim 10 is analogous to claim 1 and contains similar limitations. This being the case, the Applicant respectfully requests the allowance of claims 1 and 10 and the respective dependent claims 2-3, 3, 8-9, 11-12, 15 and 17.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 4, 5, 13, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kohli et al (hereinafter Kohli) (US Patent No. 7,213,068B1) as applied to claims 1 and 10 above, and further in view of Putzolu (US Patent No. 6,578,076B1). The Applicant respectfully traverses the rejection of these claims.

Putzolu is cited for teaching a priority scheme applied as in the Applicant's claims 4, 5, 13 and 14. The Applicant respectfully disagrees with the Examiner's interpretation of the cited portion of the Putzolu reference. Putzolu is interpreted as teaching a priority scheme used to make a local decision at policy client PEP (col. 5, lines 16-26). As the Applicant has described in prior responses, Putzolu describes that the Policy Enforcement Point is serving as a policy client. As the Applicant teaches and has claimed, the PEP acts as a server towards the PDP and both Kohli and Putzolu teach away from that. This being the case, the Applicant respectfully requests the allowance of claims 4, 5, 13 and 14.

Claims 7, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kohli, et al. (hereinafter Kohli) (US Patent No. 7,213,068B1). The Applicant respectfully traverses the rejection of these claims.

Regarding claims 7 and 16 the skill of "one of ordinary skill in the art" is cited as providing a reason to include asynchronous messaging to select proper among multiple PDPs. The Applicant respectfully disagrees. First, Kohli lacks teaching the PEP as a

server and PDP as client and second, because of the functionality claimed for the PEP, it would not be logical to include the asynchronous messaging to select among PDPs.

Regarding claim 18, the "one of ordinary skill in the art" is cited as being obvious to modify Kohli to include multiple servers as a stakeholder to enforce accurate policy enforcements. Again, the policy enforcements are executed by the PEP.

The Applicant respectfully submits that the Kohli reference lacks at least the limitation of the PEP functioning as a server to the PDPs. This being the case, the Applicant respectfully requests the allowance of claims 7, 16 and 18.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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